

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            )                            **8:08CR473**  
                                  )  
TODD CHARLES MATTHEWS,     )                            **ORDER**  
                                  )  
Defendant.                    )

The court has reviewed the government's response to the motion for disclosure of *Brady* material (#[59](#)) filed by Todd Charles Matthews.

Paragraph 1 of the response (#[61](#)) indicates that the proffer statements of Thomas Carr, Douglas Cross and Linda Hernandez<sup>1</sup> were provided to "the Defense" on December 11, 2008, approximately one week before defendant Matthews was indicted and approximately three weeks before Matthews' attorney, Deborah Sanwick, was appointed.

**IT IS ORDERED** that counsel for the United States shall file a supplemental response no later than **12:00 noon on Friday, April 24, 2009**, indicating whether the proffer statements of Thomas Carr, Douglas Cross and Linda Hernandez have actually been provided to Todd Charles Matthews or any attorney representing him concerning the current charges. If the statements have not been provided, counsel shall state whether the government intends to disclose the proffer statements to present counsel, Deborah Sanwick.

**DATED April 22, 2009.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**

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<sup>1</sup>Carr, Cross and Hernandez were indicted in August 2008 in a separate case, No. 8:08CR323.